

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 60th LEGISLATURE - REGULAR SESSION

COMMITTEE ON FISH, WILDLIFE AND PARKS

Call to Order: By Vice Chairman Gordon R. Hendrick, on January 25, 2007 at 3:00 P.M., in Room 152 Capitol.

ROLL CALL

Members Present:

Rep. Mike Milburn, Chairman (R)
Rep. Robyn Driscoll, Vice Chairman (D)
Rep. Gordon R. Hendrick, Vice Chairman (R)
Rep. Debby Barrett (R)
Rep. Arlene Becker (D)
Rep. Gary Branae (D)
Rep. Douglas Cordier (D)
Rep. Ernie Dutton (R)
Rep. George G. Groesbeck (D)
Rep. Rick Jore (C)
Rep. Harry Klock (R)
Rep. Roger Koopman (R)
Rep. Ken Peterson (R)
Rep. Mike Phillips (D)
Rep. Kendall Van Dyk (D)
Rep. Chas Vincent (R)
Rep. John Ward (R)
Rep. Bill Wilson (D)

Members Excused: Rep. Edward Hilbert (R)

Members Absent: None.

Staff Present: Debra Polhemus, Committee Secretary
Doug Sternberg, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 376, 1/19/2007

Executive Action: HB 171; HB 193; HR 2

HEARING ON HB 376

Opening Statement by Sponsor:

00:01:45 Rep. Mike Milburn (R), HD 19, opened the hearing on HB 376, Modify stream access restrictions regarding campfires.

Proponents' Testimony:

00:03:55 John Schrader, Cascade resident

00:07:32 Joe Maurier, Park Division Administrator, Fish, Wildlife & Parks

EXHIBIT (fih17a01)

00:08:52 Karla Johnson, representing Montana Stockgrowers Association and Montana Cattlemen

00:09:33 Megan E. Brower, representing Montana Farm Bureau

Opponents' Testimony:

00:10:11 Tony Schoonen, representing Montana Coalition for Stream Access and Public Lands Water Access Association

00:13:04 Bill Holdorf, Butte, Skyline Sportsman Association and Anaconda Sportsman Association

Informational Testimony: None

Questions from Committee Members and Responses:

00:15:41 Rep. Phillips

00:18:01 Rep. Jore

00:21:25 Rep. Peterson

00:23:56 Rep. Van Dyk

00:25:41 Doug Sternberg, Legislative Services Division

00:26:28 Rep. Koopman

00:27:56 Rep. Cordier

Closing by Sponsor:

00:30:01 Rep. Mike Milburn

00:31:03 Break

00:41:29 Reconvene

EXECUTIVE ACTION ON HB 171

00:42:10 **Motion:** Rep. Hendrick moved that **HB 171 DO PASS.**

00:42:21 **Motion:** Rep. Hendrick moved that **HB 171 BE AMENDED.**

Discussion:

00:42:54 Doug Sternberg

EXHIBIT(fih17a02)

00:45:47 Rep. Driscoll

00:45:57 **Substitute Motion/Vote:** Rep. Driscoll made a substitute motion to **SEGREGATE #3 OF THE AMENDMENTS TO HB 171. SUBSTITUTE MOTION CARRIED** 11-8 by roll call vote with Reps. Groesbeck, Hendrick, Hilbert, Jore, Klock, Milburn, Peterson, and Vincent voting no and Rep. Hilbert voting by proxy.

Discussion:

00:47:55 Rep. Dutton

00:48:09 Chairman Milburn

00:48:16 Rep. Barrett

00:49:03 Doug Sternberg

00:51:04 Rep. Koopman

00:52:05 Doug Sternberg

00:52:44 Rep. Koopman

00:52:51 Rep. Wilson left the hearing

00:53:26 Doug Sternberg

00:54:56 Rep. Koopman

00:55:58 **Motion/Vote:** Rep. Peterson moved to **SEGREGATE #5 OF THE AMENDMENTS TO HB 171. MOTION CARRIED** unanimously by voice vote with Reps. Hilbert and Wilson voting by proxy.

Discussion:

00:56:32 Rep. Ward

00:56:54 Doug Sternberg

00:58:03 **Motion:** Rep. Hendrick moved **TO ADOPT #1, #2, AND #4 OF THE AMENDMENTS TO HB 171.**

Discussion:

00:58:22 Doug Sternberg

00:58:35 **Vote:** **MOTION CARRIED** unanimously by voice vote with Reps. Hilbert and Wilson voting by proxy.

00:59:02 **Motion:** Rep. Driscoll moved **TO ADOPT #3 OF THE AMENDMENTS TO HB 171.**

00:59:04 Rep. Wilson returned to hearing

Discussion:

00:59:12 Rep. Driscoll

00:59:51 Rep. Peterson

01:01:11 Rep. Van Dyk

01:02:26 Rep. Driscoll

01:03:13 **Vote:** **MOTION FAILED** 9-10 by roll call vote with Reps. Barrett, Becker, Hilbert, Jore, Klock, Koopman, Milburn, Peterson, and Phillips voting aye and Rep. Hilbert voting by proxy.

01:05:57 **Motion:** Rep. Driscoll moved **TO ADOPT #5 OF THE AMENDMENTS TO HB 171.**

Discussion:

01:06:05 Rep. Koopman

01:06:18 **Vote:** **MOTION FAILED** 2-17 by roll call vote with Reps. Driscoll and Phillips voting aye and Rep. Hilbert voting by proxy.

01:07:54 **Motion:** Rep. Ward moved that **HB 171 DO PASS AS AMENDED.**

Discussion:

01:08:12 Rep. Ward

01:08:36 Rep. Peterson left hearing

01:09:10 Doug Sternberg

01:11:15 Rep. Ward

01:12:19 Rep. Barrett

01:13:34 Rep. Vincent

01:14:17 Rep. Hilbert arrived at hearing

01:15:20 **Vote:** **MOTION CARRIED** 12-7 by roll call vote with Reps. Barrett, Cordier, Dutton, Hendrick, Peterson, Vincent, and Ward voting no and Rep. Peterson voting by proxy.

EXECUTIVE ACTION ON HB 193

01:17:38 **Motion:** Rep. Phillips moved that **HB 193 DO PASS.**

Discussion:

01:17:47 Rep. Becker
01:18:02 Rep. Barrett
01:18:18 Doug Sternberg
01:19:43 Rep. Cordier
01:20:15 Rep. Ward

01:20:31 **Vote:** **MOTION CARRIED** 18-1 by voice vote with Rep. Ward voting no and Rep. Peterson voting by proxy.

EXECUTIVE ACTION ON HR 2

01:21:46 **Motion:** Rep. Van Dyk moved that **HR 2 DO PASS.**

Discussion:

01:22:02 Rep. Koopman
01:23:04 Rep. Driscoll
01:23:23 Rep. Groesbeck

01:24:06 **Vote:** **MOTION FAILED** 4-15 by voice vote with Reps. Groesbeck, Hendrick, Klock, and Van Dyk voting aye and Rep. Peterson voting by proxy.

01:25:41 **Motion/Vote:** Rep. Phillips moved that **HR 2 BE TABLED AND THE VOTE REVERSED. MOTION CARRIED** unanimously by voice vote.

EXECUTIVE ACTION ON HB 376

01:26:11 **Motion:** Rep. Hendrick moved that **HB 376 DO PASS.**

Discussion:

01:26:20 Rep. Ward
01:27:48 Doug Sternberg
01:29:11 Rep. Ward
01:30:22 Rep. Phillips
01:30:43 Rep. Cordier
01:31:55 Doug Sternberg
01:32:18 Chairman Milburn
01:33:50 Rep. Hilbert
01:34:04 Doug Sternberg
01:34:52 Rep. Hilbert
01:35:02 Joe Maurier
01:35:22 Rep. Barrett
01:35:51 Rep. Van Dyk
01:37:54 Rep. Groesbeck
01:38:33 Rep. Jore
01:38:54 Rep. Ward
01:39:19 Rep. Dutton
01:40:45 Rep. Jore
01:41:47 Rep. Hilbert
01:42:50 Chairman Milburn
01:43:54 Doug Sternberg
01:46:05 Rep. Barrett
01:47:03 Rep. Phillips
01:47:34 Rep. Koopman

01:48:36 Without objection, Rep. Hendrick requested that his
MOTION BE WITHDRAWN.

Discussion:

01:49:01 Rep. Barrett
01:49:29 Doug Sternberg
01:50:55 Rep. Barrett

ADJOURNMENT

Adjournment: 5:15 P.M.

REP. MIKE MILBURN, Chairman

DEBRA POLHEMUS, Secretary

MM/dp

Additional Exhibits:

EXHIBIT ([fih17aad.pdf](#))